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QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE

Letter dated 7 October 1992 from the Ambassador and Permanent Observer for Palestine to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights

For several hours this morning, Israeli occupation forces have been committing a massacre in the town of Rafah in the occupied Gaza Strip where Israeli military units opened fire at random with automatic weapons on schoolchildren and citizens holding a sit-down protest near the International Red Cross office in Awda Square at Rafah. Of the schoolchildren, 43 were wounded by live ammunition and 60 by plastic bullets, and 40 citizens were asphyxiated and lost consciousness when toxic gas grenades were thrown. That massacre was still continuing at the time when this note was being prepared and the number of victims is presumably still rising. Reports of that massacre had hardly reached the outside world when Israeli occupation forces committed another simultaneous massacre in the town of Gaza where they opened fire with automatic weapons and threw toxic gas grenades at citizens who had gathered near the International Red Cross office on their way to Palestine Square at Gaza. Thirty-three citizens were wounded and the random killing, wounding and detention of Palestinians is still continuing and has spread to other areas of the occupied Palestinian territories, including the towns of Nablus, Hebron, Jerusalem, Bir Zeit, Bethlehem, Jenin and Tulkarm. It would appear that the Israeli occupation authorities, who are today celebrating the Day of Atonement (Yom Kippur), are never fully happy even on religious occasions unless their celebrations, as usual, are marked by Palestinian blood and the immolation of innocent defenceless members of the Palestinian people.

The massacres that the Israeli occupation authorities are currently committing in the occupied Palestinian territories coincide with their

categorical rejection of the demands of the Palestinian detainees and prisoners in Israeli prisons and detention centres whose hunger strike, which began 10 days ago, has today spread to all the 12,500 Palestinian detainees and prisoners in all the Israeli prisons and detention centres, who are demanding an improvement in their conditions of detention and humane treatment, in accordance with the principles of international humanitarian law and the provisions of the Fourth Geneva Convention, through the application of the norms set forth in the international instruments and conventions concerning human rights.

The occupation authorities' refusal to meet the demands of those detainees and prisoners is part of a policy designed to ensure their slow death. Accordingly, in pursuit of their political objectives, the authorities have employed every means at their disposal to kill Palestinian citizens. Throughout the period of their occupation of the Palestinian territories they have used live ammunition to fire on the population and have committed large-scale massacres, as happened at Jabalia and Rafah camps, in the town of Uyun Qarra, within the precincts of the Al Aqsa Mosque and on the campus of Bir Zeit University, as well as the other massacres of which we duly informed you and which constituted violations of the right to life which is recognized in the Universal Declaration of Human Rights. Methods of physical and mental torture have also been used to kill Palestinians during interrogation in flagrant violation of the provisions of the Fourth Geneva Convention and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as affirmed in the press release issued by the President of the International Committee of the Red Cross last May and also in various reports of Amnesty International and the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories. Crimes of genocide have been committed against the Palestinian people, ranging from wilful murder to the breaking of bones, the infliction of physical harm, the causing of miscarriages among pregnant women with a view to preventing population growth, and the reduction of large numbers of people in the towns, villages and camps to starvation with a view to endangering their lives by isolating them for periods of several consecutive weeks. All these acts violate the Convention on the Prevention and Punishment of the Crime of Genocide.

The Fourth Geneva Convention designates such acts as grave violations of human rights. The First additional Protocol to the Fourth Geneva Convention defines them as war crimes and, under international law, they are regarded as crimes against humanity and crimes which pose a serious threat to international peace and security. This deteriorating situation in the occupied Palestinian territories as a result of the occupation and the above-mentioned practices places the international community and its specialized institutions under a heavy obligation to save the Palestinian people and, thereby, to save the lofty principles which the international community has set for itself in such a way as to safeguard coexistence, based on friendship among peoples and nations, from the dangers of continued recalcitrance on the part of Israel, which could seriously jeopardize the principles of international law and herald a return to the law of the jungle and the ages in which brute force stifled all human and civilized values.

The international community has a joint responsibility in the face of such events, regardless of whether they occur in the East or the West, since its aim is to protect mankind and the rule of law. Murder is murder wherever and however it is committed; massacres are massacres regardless of whether they are perpetrated by Serbs or Israelis; war crimes are war crimes whether committed against the people of Bosnia and Herzegovina or the Palestinian people; and the principles of human rights and the provisions of humanitarian law must be applied in accordance with standard norms, as set forth in international instruments and conventions, regardless of whether their victims are white, black, yellow or red, Muslims, Christians or Jews, Bosnians or Palestinians.

For well-known reasons of which no observer is unaware, it was decided that the Commission on Human Rights would not hold a special emergency session last June to discuss the deteriorating human rights situation in the occupied Palestinian territories. It is now fitting, therefore, that the Commission should take practical steps, through its Chairman, to make representations to the Israeli occupation authorities with a view to putting an end to all the violations of human rights in the occupied Palestinian territories and saving the innocent lives that are being lost every day through the use of firearms and live ammunition against innocent civilians, acts of torture resulting in death, asphyxiation by chemical gases, starvation, the causing of miscarriages and the death through disease of sick prisoners who are denied appropriate treatment, and also with a view to upholding the resolutions which the Commission has adopted in this connection during the last 20 years or more. We are therefore appealing to you and to Mr. Solt, Chairman of the Commission on Human Rights, in the hope that you will take such steps with a view to saving lives, avoiding further bloodshed and protecting and promoting the principles of human rights that are being challenged by the Israeli occupation authorities, who are flouting the will of the international community and disregarding their international obligations as a Member State of the United Nations, as a party to the Fourth Geneva Convention and as the occupying Power which bears full responsibility for human rights violations in the occupied Palestinian territories, in accordance with the provisions of international law and the relevant resolutions of the Commission on Human Rights. You are also kindly requested to circulate this note as an official document of the forty-ninth session of the Commission on Human Rights, under agenda item 4.

(Signed): Nabil Ramlawi
Ambassador and Permanent Observer